

APPROVAL OF MINUTES
EL MONTE CITY COUNCIL ADJOURNED REGULAR MEETING
OF JULY 29, 2020

MEETING JOINTLY AND REGULARLY WITH THE EL MONTE HOUSING AUTHORITY; EL MONTE PUBLIC FINANCING AUTHORITY; EL MONTE WATER AUTHORITY; EL MONTE PARKING AUTHORITY; SUCCESSOR AGENCY TO THE FORMER EL MONTE COMMUNITY REDEVELOPMENT AGENCY; HOUSING SUCCESSOR AGENCY; AND, FROM TIME TO TIME, SUCH OTHER BODIES OF THE CITY WHOSE MEMBERSHIP IS COMPOSED EXCLUSIVELY OF THE MEMBERSHIP OF THE CITY COUNCIL

1. CALL TO ORDER: **6:03 p.m.**

2. ROLL CALL FOR CITY COUNCIL AND AUTHORITY BODIES:

Andre Quintero, Mayor/Chair – **present**
Maria Morales, Mayor Pro Tem/Authority Member – **present**
Jessica Ancona, Councilmember/Authority Member – **present**
Victoria Martinez Muela, Councilmember/Authority Member – **present**
Jerry Velasco, Councilmember/Authority Member – **present**

3. APPROVAL OF AGENDA:

WITH THE FOLLOWING EDITS/CHANGES TO THE AGENDA:

Item 9.1 has been pulled

SPECIALLY ADDED AGENDA ITEM:

9.2 Consideration and Approval of a Resolution Adopting and Implementing a Separation Incentive Program.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve the attached Resolution adopting and implementing a Separation Incentive Program.

Cost Reduction: (\$40,000-\$806,000) Account No: Various Funds
Is the cost of this item budgeted? N/A

Resolution No. 10176

m) Mayor Quintero
s) Mayor Pro Tem Morales

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4. CLOSED SESSION (6:00 p.m. – 7:00 p.m.):

The City Council and the various Authority Bodies whose membership is composed exclusively of the membership of the City Council (collectively, the “Council”) will attempt to address and complete all Closed Session business between 6:00 p.m. and 7:00 p.m. If the Council completes all Closed Session business prior to 7:00 p.m., the Council will take a short recess and commence all Open Session proceedings promptly at 7:00 p.m. In the event the City Council is unable to address or complete all agendaized Closed Session items by 7:00 p.m., the Council will hear all such remaining items toward the end of the meeting, immediately following Council Communications. Should any member of the public wish to address the Council on any *agendaized* Closed Session matter, the Council shall allow such person to address the Council on such matter prior to going into Closed Session, provided that all persons wishing to address the Council on an agendaized Closed Session matter shall fill out a speaker card and be subject to a speaker’s time limit of 3 minutes per speaker and further provided that the Council shall be under no obligation to respond to or deliberate upon any specific questions or comments posed by a speaker or take action on any issue raised by a speaker beyond such action as the City Council may be lawfully authorized to take on an agendaized Closed Session matter pursuant to the Brown Act (Govt. Code Section 54950 et seq.).

Mayor Quintero invited members of the public to address the City Council on Closed Session Items 4.1 through 4.3.

Mayor Quintero and the City Council recessed into Closed Session at approximately 6:05 pm. Mayor Quintero and the City Council reconvened from Closed Session at approximately 7:07 pm.

Assistant City Attorney Richard Padilla reported out of Closed Session with respect to Items 4.1 through 4.3.

4.1 Closed Session Pursuant to Government Code Section 54956.8 – Conference with Real Property Negotiator.

Property Location:
Channel Parcel and Fed-Ex Parcel

Name of Party City is Negotiating with:
Stuart Riddle

City’s Designated Negotiators:
Betty Donovanik, Community and Economic Development Director; and Dave Gondek, Senior Deputy City Attorney; and Joaquin Vazquez, Assistant City Attorney

Under Discussion:
Both Price and Terms.

General update, direction given but no final action.

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- 4.2 Closed Session Pursuant to Government Code Section 54956.9(d)(2) and 54956.9(e)(1) – Significant Exposure of Litigation – Three (3) Potential Cases.

General update, direction given but no final action.

- 4.3 Closed Session Pursuant to Government Code Section 54957.6 – Conference with Labor Negotiator – Represented Employees:

Bargaining Units Subject to Negotiations: El Monte SEIU Local 721; El Monte Police Mid-Managers Association; El Monte Police Officers Association; Management Group; and El Monte General Mid-Managers Association.

City's Designated Negotiator: Alma K. Martinez, City Manager and John Nguyen, Human Resources/Risk Management Director

General update, direction given but no final action.

m) Mayor Quintero

s) Councilmember Velasco

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OPEN SESSION PROCEEDINGS

(Commencing at 6:00 p.m. or as soon thereafter as the City Council reconvene from Closed Session/Short Recess)

5. INVOCATION: **Mayor Quintero**
6. FLAG SALUTE: **Chief of Police, David Reynoso. Present**
7. PUBLIC COMMENT REGARDING NON-AGENDIZED MATTERS:

This time has been set aside for persons in the audience to make comments or inquiries on matters within the general subject matter jurisdiction of the City Council, the Housing Authority, the Financing Authority and/or the Water Authority (collectively, the "Council") that **are not listed on this agenda**. Although no person is required to provide their name and address as a condition to attending a Council meeting, persons who wish to address the Council are asked to state their name and address. Each speaker will be limited to three (3) continuous minutes. Speakers may not lend any portion of their speaking time to other persons or borrow additional time from other persons.

Except as otherwise provided under the Brown Act (Gov. Code Section 54950 et seq.), the Council may not deliberate or take action upon any matter not listed on this posted agenda but may order that any such matter be placed on the agenda for a subsequent meeting. The Council may also direct staff to investigate certain matters for consideration at a future meeting.

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All comments or queries presented by a speaker shall be addressed to the Council as a body and not to any specific member thereof. No questions shall be posed to any member of the Council except through the presiding official of the meeting, the Mayor and/or Chair. Members of the Council are under no obligation to respond to questions posed by speakers but may provide brief clarifying responses to any comment made or questions posed. The Council may not engage in any sort of prolonged discussion or deliberation with any speaker or group of speakers on matters that are not listed on this agenda.

Enforcement of Decorum: The Chief of Police, or such member, or members of the Police Department as the Chief of Police may designate, shall serve as the Sergeant-at-Arms of any Council meeting. The Sergeant-at-Arms shall carry out all orders and instructions given by the presiding official for the purpose of maintaining order and decorum at the meeting. While members of the public are free to level criticism of City policies and the action(s) or proposed action(s) of the Council or its members, members of the public may not engage in behavior that is disruptive to the orderly conduct of the proceedings, including, but not limited to, conduct that prevents other members of the public from being heard when it is their opportunity to speak or which prevents members of the audience from hearing or seeing the proceedings. Members of the public may not threaten any person with physical harm or act in a manner that may reasonably be interpreted as an imminent threat of physical harm. All persons attending the meeting must adhere to the City's policy barring harassment based upon a person's race, religious creed, color, national origin, ancestry, physical handicap, medical condition, marital status, gender, sexual orientation or age.

Charles Hoffman – Resident of the City of El Monte. Good evening, Council members, city staff and public. My Sadness has turn to great concern what is going on at city council meetings! Why a member thinks that they are being censored or the city is not being transparent? When it seems they do not understand the parliamentary procedures or the city codes and if they do? Do not wish to follow them? The council meeting is not a public meeting and one does not have the same right to freedom of speech has I understand the rules! EL MONTE - MUNICIPAL CODE 2000: 2.04.050 - Addressing the council— Procedure. Each person desiring to address the council shall approach the microphone at the podium; state his or her name and city of residence for the record. As I understanding Public Comments one should addresses the council has a whole not singling out council members has it seem one was trying to do at the last meeting. This person did not even have the respect to state their name at the podium and where their resident is. If I had acted the way this person did at the podium. I have no doubt the sergeant of arms would have been call in and I would have been told to leave the meeting!

Councilmember Martinez Muela – Council and Community thank you. Yes, I am coming to the Council today to say thank you. Thank you because of you I've had the opportunity to grow in my role as a Councilwoman. Thank you for forcing me to stand up and to have my voice be heard even if it may be during my three minutes of public comment. Thank you for forcing me to be the most resourceful than I have ever been. Thank you for encouraging me to be more reflective in how I can serve this community better, to be more responsive to the community and to be more resilient thank you. So sincerely I do thank you because today I am a better version of myself since than I have been in a very long time. This version of your Councilwoman is here to let you know that we will be resilient, we will be responsive and we will continue to be reflective on how we can serve this community better. Thank you very much Council and community for your time today.

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8. CONSENT CALENDAR:

All matters listed under the Consent Calendar are considered to be routine in nature and may be enacted by one motion approving the recommendation listed on the Agenda. One or more items may be removed from the Consent Calendar so that they may be discussed, considered and voted upon individually by the Council. A matter may be removed from the Consent Calendar and taken up separately by way of a seconded motion of any member of the Council with the approval of a majority of the Council quorum.

8.1 Waiver of Full Reading of Ordinance(s).

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

2. Approval to waive full reading (except title) of all ordinances appearing on the City Council agenda as authorized under Government Code Section 36934, unless otherwise directed by the City Council.

Total Cost: N/A Account No: N/A
Is the cost of this item budgeted? N/A

m) Mayor Quintero
s) Councilmember Velasco **5-0**

8.2 Consideration and Approval of a Professional Services Agreement with All City Management Services Inc. to Provide Crossing Guard Services Between the 2020-2021 and the 2022-2023 School Years.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve a Professional Services Agreement with All-City Management Services for Crossing Guard Services for a not-to-exceed amount of \$183,168; and
2. Authorize the City Manager, or her designee, to execute the Professional Services Contract with All-City Management Services.

Total Cost: \$183,168 Account No: 100-67-670-6137
Is the cost of this item budgeted? Yes (General Fund Acct.)

m) Mayor Quintero
s) Councilmember Velasco **5-0**

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9. REGULAR AGENDA:

- 9.1 Consideration and Approval of a Professional Services Agreement with Michael Baker International for Construction Management and Inspection Services for the Nevada Bodger Water, Sewer and Pavement Improvement Project, CIP No. 014, CIP No. 05 and CIP No. 038 for a Not-to-Exceed Amount of \$1,415,292.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve a Professional Services Agreement for Construction Management and Inspection Services for the Nevada/Bodger Water, Sewer and Pavement Improvement Project, CIP No. 014, CIP No. 005 and CIP No. 038 with Michael Baker International for a not-to-exceed amount of \$1,415,292 which includes a contract amount of \$1,286,629 plus a ten percent (10%) contingency of \$128,663;
2. Authorize the use of Bond Proceeds from the El Monte Water Authority Revenue Bonds Series 2018A, Sewer Fund and Measure M Fund for this budget;
3. Consider and approve a total not-to-exceed amount of \$1,415,292 to be appropriated from the Water Bond Series 2018, Sewer Fund, Measure M Fund and approve the Project budget as presented in Attachment 1;
4. Authorize staff to advertise and publish the Notice of Inviting Bids for the Water Main Replacement Project, CIP 014; and
5. Authorize the City Manager, or her designee, to execute the Professional Services Agreement with Michael Baker International.

Total Cost: \$1,415,292

Account No: 600-06-014-7221 (\$440,791)
Water Main Replacement fund
650-67-005-8221 (\$774,072)
Sewer Replacement Fund
225-67-038-8221 (\$200,429)
Measure M Fund

Is the cost of this item budgeted? Yes
Item has been pulled.

- 9.2 Consideration and Approval of a Resolution Adopting and Implementing a Separation Incentive Program.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve the attached Resolution adopting and implementing a Separation Incentive Program.

Cost Reductions: (\$40,000-\$806,000)
Is the cost of this item budgeted? N/A

Account No: Various Funds

Resolution No. 10176

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**m) Mayor Quintero
s) Mayor Pro Tem Morales**

5-0

10. CITY ATTORNEY'S AGENDA: **No material submitted.**

11. CITY MANAGER'S AGENDA:

11.1 COVID-19 Update.

11.2 Fourth of July Update.

11.3 Fiscal Year 2020-2021 Budget Update.

12. WRITTEN COMMUNICATIONS: **No material submitted.**

13. COUNCIL COMMUNICATIONS/REPORTS:

13A. Mayor Quintero

13B. Mayor Pro Tem Morales

18B.1 Discussion Regarding Farmers Market Update.

It has been previously noted that due to the COVID increases throughout L.A. County I think it was a prudent move on behalf of staff to postpone the Farmers Market. I want to say that the two weeks that the Farmers Market was in full operation there was a huge community support. I am hopeful that within the next month or two as the COVID numbers do reduce as people wear their masks and people see the sense of urgency of this situation that we can get those numbers reduced.

18B.2 Discussion Regarding Citywide Broadband Accessibility and Needs Assessment.

I want to make sure that the community is aware that we are seeking these data points we are looking for this information we want to be able to have the support so that we can long-term think through and strategically put into place an infrastructure that our City is going to need in the future.

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The High School graduate flags will be posted and we will be collaborating with the non-profits and the school district in particular to see where these flags will be placed.

I think it is really important to note that the work that staff is doing during this COVID crisis should be worthy of note. They are here on a consistent basis, we are trying to move our City forward, we are trying to be as normal as possible under the circumstances. We want to make sure that our business community is supported, that our residents are supported. This is a huge task for government other cities have shut down their doors we have not. In fact this is when staff has worked the hardest

13C. Councilwoman Ancona

13C.1 Discussion Regarding Update on Foothill Services.

I attended the Foothill Transit Governing Board member and I wanted to share some updates in regards to their services. Rear door boarding for all passengers were implemented to protect Foothill Transit drivers this took place on March 19th which precluded Foothill Transit from collecting fees. Since then there has been a loss of revenue between \$500,000 and \$1,000,000 a month. On March 23rd, they implemented to maintain local essential trips, they suspended the middle and high school focused lines because schools had closed down and they suspended the express lines. On June 8th, they updated their services again they maintained the local service essential trips and they resumed the express line services. On July 13th, they continued to keep the local essential trips and they continue to provide express services. The Foothill Transit executives continue to hold weekly meetings to adjust to health and safety orders and adjust to their COVID loads. They are working on permanent barrier retrofits for 197 buses to continue to protect their drivers from COVID-19 exposure. Once retrofitted fair collection will resume.

13D. Councilwoman Martinez Muela

13D.1 Discussion Regarding Bridging the Technology Gap a Partnership with the American Legion to Support Parents, Students and Seniors in Distance Learning and Online Communication Modes Via Technology Training Classes.

On behalf of Honorable School Board Member David Siegrist who is also a member of the American Legion who requested that I bring this to the City Council that they are looking to partner with the City Council and the City in regards to bridging the technology gap and utilizing the American Legion in this manner.

13D.2 Discussion Regarding Rising Large Number of COVID Cases in El Monte.

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- i. Possibly postponing current community gatherings and give direction to staff to create immediately a “Stopping the Spread” Multi-Lingual Marketing Campaign.**

This item was mentioned by two members of the Community Mr. David Batrez and Mr. Charles Castaneda as you both have mentioned your increasing concern as community gatherings continue. The Farmers Market ceased. It was their idea to request stopping the spread multilingual marketing campaign.

13D.3 Discussion Regarding FY 20-21 Budget

- i. Request for public documents regarding Budget as prepared and delivered to the Bargaining Units be delivered to each Councilmember at least 48 hours prior to Budget Workshop.**

We just had a discussion on seeing these numbers and having a transparent and fully flowing conversation regarding the budget including all five (5) members of the Council being fully briefed as to the state of our financial affairs.

13D.4 Discussion Regarding Suppression of the City Council by Manipulation of the Council Meetings to Consistently Eliminate Council Communications.

- i. Recommended Action: Move Council Communication to the Beginning of the Meeting.**

Unfortunately we have run out of time due to an Ordinance that states that at 9:30 pm we need to take a vote and by majority either chose to extend the meeting or not and unfortunately when members chose not to extend the meeting unfortunately that is a silencing of their own voices and of items that have already been placed on the agenda. Items that are placed on the agenda when approved it is the expectation from the City and the community that these items will be discussed. So my recommendation is to move Council Communication to the beginning of the meeting so that community members do have an opportunity to hear their representative voicing their concerns.

Charles Hoffman – I understand this should only be a Discussion on Council Communications. So far I have not found anything In the Brown Act or city codes stating the city most have Council communications but I am still checking! I've checked nine other city agendas in the San Gabriel Valley and found none having Council Communications on their agendas. Only one had what they call COUNCIL COMMENTS AND CONFERENCE/MEETING REPORTS and it was the last item on their agenda. It stated. “Each Council Member may address the City Council and public on matters of general information and/or concern. This is also the time for Council Members to report on conferences and/or meetings they have attended.” The City of El Monte planning commission agenda. Their last item is Commissioner Comments! Wonder if we need to have council communicates at all if it is not cover by the Brown Act. If you wish to have council communications they should be the last item on the agenda!

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**m) Councilmember Martinez Muela
s) Councilmember Ancona
To move Council Communication to
after the Public Comment. Five (5)
items per Councilmember**

**2-3 (Mayor Quintero, Mayor Pro Tem
Morales and Councilmember Velasco No)**

**m) Mayor Quintero
s) Mayor Pro Tem Morales
Five (5) minutes per Councilmember**

**3-2 (Councilmembers Martinez Muela and
Ancona No)**

13D.5 Discussion Regarding Protocols for the Termination of Executive Employees.

As the governing body we are responsible for undertaking the budgetary demands for recruiting new members should that be appropriate. We are responsible for the training and for creating a stable work environment especially Executive Directors that are let go and/or moved and/or replaced I think it is only fair to give us a heads-up with regards to this movement. My request is that we have a new organizational chart provided to us as soon as possible.

13D.6 Discussion and Action Regarding Adding to the November Ballot a Rotating Mayorship Measure.

- i. Recommended Action: Add a ballot allowing voters to vote to change the current elected mayor system to a rotational mayor system based on seniority. This measure is an effort for cost savings as well as supporting a more collegial City Council.**

The last item which at this point I think is mutt. Unfortunately because of the proximity of this upcoming ballot by when will a potential ballot measure need to be addressed? I do hope that you as families are doing everything you can to eliminate of COVID-19. We have had some deaths and are very heartbreaking. The Mayor of Long Beach his mother passed away and we send our deepest condolences his mom died of complications to COVID-19.

Charles Hoffman – I understand this is only to be discussion on this item adding it to the November Ballot. 1. Wondering why one wishes to have this base on seniority and not have the council vote for rotational mayor as done now for mayor pro tem. 2. How is this effort for cost savings? 3. Other things to consider. How long will the rotating mayor whole this spot and is the council or the voter going to make that decision? 4. How is this going to involving shared responsibility, among a group?

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13E. Councilman Velasco

I want to echo what Mayor Pro Tem Morales has said. We have been very busy we haven't stopped. I want to congratulate the businesses our local businesses. Just today somebody brought over about 5 or 6 boxes of hand sanitizers and they are coming through. We are getting masks we are getting hand sanitizers, and gloves. I want to thank our staff over on Mountain View some of the streets, some of the sidewalks have been taken care of we need more out there.

13E.1 Discussion Regarding Census 2020 Update.

It is extremely important we only have about 58 percent of our population or less who have completed their forms. They have extended it until October if you need help please call the City.

13E.2 Discussion Regarding Farmers' Market on Main Street.

13E.3 Discussion Regarding Al Fresco Outside Dining.

I have gone to a couple of them and I they are very happy that we have given them that opportunity because they are having a way of bring in income. Whatever we do we are following the guidelines of the County and the State.

13E.4 Discussion Regarding the Drive-In Movie Events on Main Street.

We are still thinking of doing them if it is safe and if they are approved by the County and the State.

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14. ADJOURNMENT: Adjourned in Memory of Mrs. Gabriella O'Donnell, Mother of Long Beach Mayor Robert Garcia.

Without objection the meeting was adjourned at 8:45 pm.

The next Regular Meeting of the City Council will be held on **August 18, 2020** at 6:00 p.m. This Agenda will be posted on the City's website, www.ci.el-monte.ca.us, and physically posted no less than 72 hours prior to the start of the subject regular meeting. Although it is the City's practice and desire to electronically post a copy of this Agenda along with supporting material as part of its website posting, the size or formatting of certain supporting materials may render their website posting infeasible. Nevertheless, all supporting materials related to any item on this Agenda, that is made available to the members of the council may be inspected by members of the public at the City Clerk's Office located at 11333 Valley Boulevard, El Monte, Monday through Thursday, 7:00 am – 5:30 pm. For more information, please call the City Clerk's Office at 626-580-2016.

All public meetings and events sponsored or conducted by the City of El Monte are held in sites accessible to persons with disabilities. Requests for accommodations may be made by calling the office of the City Clerk at (626) 580-2016 at least three (3) working days prior to the event, if possible. This Agenda and copies of documents distributed at the meeting are available in alternative formats upon request.

Catherine A. Eredia, City Clerk
City of El Monte

APPROVED:

Andre Quintero, Mayor
City of El Monte